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**Natural Resources, Ecology &  
Parks Committee**

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**HJM 4031**

**Brief Description:** Preserving section 5 of the Marine Mammal Protection Act to protect Puget Sound.

**Sponsors:** Representatives Appleton, B. Sullivan, Green, Takko, McCoy, Hunt, Darneille, Flannigan, Kessler, Chase, Eickmeyer, Morris, McIntire, Murray, Woods, O'Brien, Ericks, Pettigrew, Moeller, Dunshee, Lantz, Schual-Berke, Lovick, Morrell, Kenney, Clibborn, Sommers, Walsh, Strow, Haler, Talcott, Jarrett, Wallace, Dickerson, Conway, P. Sullivan, Hasegawa, Upthegrove, Rodne, Hankins, Williams, Springer, Cody, McDermott, Sells, Miloscia, Kagi, Campbell, Simpson, Roberts and Kilmer.

**Brief Summary of Bill**

- Joint memorial to Congress and the President requesting to preserve section 5 of the Marine Mammal Protection Act to continue protecting Puget Sound by limiting tanker traffic.

**Hearing Date:** 1/20/06

**Staff:** Jeff Olsen (786-7157).

**Background:**

Congress enacted the Marine Mammal Protection Act in 1972 in response to concerns that some marine mammal species may be in danger of extinction as a result of human activities, and that species should not be permitted to fall below sustainable population levels.

Section 5 of the Marine Mammal Protection Act contains findings that the navigable waters in Puget Sound are a fragile and important national asset. It further finds that increased oil tanker traffic is a threat to those waters and shorelines, and tanker traffic restrictions are necessary to protect Puget Sound. After October 18, 1977, section 5 also restricted the federal government from approving permits for any facility in Puget Sound east of Port Angeles that would result in any increase in crude oil being handled at that facility. The restriction allows for increases in oil that is refined for consumption in Washington State.

On November 8, 2005, S.1977 was introduced in the Senate of the United States that would repeal section 5 of the Marine Mammal Protection Act.

**Summary of Bill:**

The President of the United States, Congress, and the Secretary of the U.S. Department of Commerce are petitioned to preserve section 5 of the Marine Mammal Protection Act to continue protecting Puget Sound by limiting tanker traffic. The joint memorial includes the following findings:

- Puget Sound provides significant economic and natural resource benefits;
- forty species, including orcas and salmon, are listed on state and federal threatened, endangered, or candidate species lists;
- approximately 600 tankers per year enter Washington waters, and additional tanker traffic would significantly increase the likelihood of oil spills in Puget Sound; and
- Senator Warren Magnuson declared that the waters of Puget Sound ought to be protected and that there should not be an expansion of tanker traffic.

**Appropriation:** None.

**Fiscal Note:** Not requested.